

GEORGIA BOARD OF DENTISTRY
Conference Call
2 Peachtree St., N.W., 6th Floor
Atlanta, GA 30303
March 5, 2021
10:00 a.m.

The following Board members were present:

Dr. Tracy Gay, President
Dr. Brent Stiehl, Vice-President
Dr. Richard Bennett
Dr. Greg Goggans
Dr. Michael Knight
Dr. Glenn Maron
Ms. Misty Mattingly
Dr. Ami Patel
Mr. Mark Scheinfeld
Dr. Debra Wilson

Staff present:

Eric Lacefield, Executive Director
Kirsten Daughdril, Senior Assistant Attorney General
Max Changus, Assistant Attorney General
Kimberly Emm, Attorney
Brandi Howell, Business Support Analyst I

Special Assistant Attorney General:

James Cobb, Caplan & Cobb
Ashley Brown, Caplan & Cobb

Visitors:

Dr. Carol Lefebvre, Dental College of Georgia
Emily Yona, Impact Public Affairs
Dr. William Cutler, AAOSH
Dr. Randy Kluender, Georgia School of Orthodontics
Betty Fox, America Dental Assistants Association
Nancy Ferrara

Open Session

Dr. Gay established that a quorum was present and called the meeting to order at 10:08 a.m.

Introduction of Visitors

Mr. Lacefield asked the visitors on the call to send an email via the “Contact Us” portal on the website if he/she would like his/her name reflected as being in attendance in the minutes.

Approval of Minutes

Dr. Knight made a motion to approve the Public and Executive Session minutes from the February 5, 2021 Conference Call. Mr. Scheinfeld seconded and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Dr. Maron made a motion to ratify the list of licenses issued. Dr. Wilson seconded and the Board voted unanimously in favor of the motion.

Licensing Options

Dr. Bennett commented that these are unprecedented times. He added that the Board has shown some willingness to keep the licensing process open. Dr. Bennett stated the education process for students has been interrupted and as such, students have not had the same experience that prior students had through no fault of his/her own. Dr. Bennett stated that the members of the Board have taken an oath to protect the citizens of Georgia. Dr. Bennett attested he is not employed by any company or association, is not a consultant for a company or organization, nor does he have any interest in any organization that would

directly or indirectly financially profit from any decision he would make. Dr. Bennett stated that he agreed to serve as a board member in 2010, and has served as a member since. He stated that he is not getting paid by the State of Georgia. He stated that how he makes a decision is determined by the information he has, the education he possesses, and his experiences. He explained that many academic institutions/organizations that are public and private have closed their doors to patient care due to the pandemic. He stated that for the first time there will be students that have had very little experience on live patients. Dr. Bennett stated he believes an independent third party needs to evaluate these programs to ensure the student is minimally clinically competent. He explained that the availability of testing has been a challenge and because of this, the Board provided a pathway for 2020 graduates to be issued temporary licenses until testing becomes available. He stated that testing is becoming available and, currently, the University of Alabama at Birmingham (UAB) has 28 available slots for students to test on live patients. Dr. Bennett stated that the Dental College of Georgia (DCG) will administer the CRDTS exam in May and ADEX will be administered as well.

Dr. Bennett stated that he and Dr. Gay are currently at a recently approved CRDTS testing site. He explained that having these independent testing sites will allow candidates to remediate, but also have the ability to administer the CRDTS manikin exam. He further stated that he firmly believes that while the Board should look at maintaining testing on live patients, it needs to understand that may not be possible during the pandemic. Dr. Bennett stated that the Board needs to consider a rule, for if and when testing can occur, to ensure there is an alternative pathway for licensure. He added that the Board should consider an emergency rule to facilitate the process.

Dr. Gay commented that the Board has been asked by the Governor's office to accept the manikin exam during the State of Emergency. He stated that the Board needs to decide which manikin exam to accept and the time parameters. Dr. Gay asked Ms. Emm if she reviewed the information he sent to her. Ms. Emm responded by stating that Dr. Bennett mentioned an emergency rule. She stated that emergency rules are only able to be enacted for a finite time period. She added that, in this case, it would be for the duration of the emergency and for a period of not more than 120 days thereafter. Dr. Gay asked if the information he provided can be drafted as a rule. Ms. Emm responded by stating that the Board can implement an emergency rule that would state the Board is accepting a specific exam during the State of Emergency and at the same time, it can work on a permanent rule that would be effective for the long term. Dr. Gay requested the Board further discuss this matter in Executive Session. Ms. Emm responded that if the Board is discussing the contents of the examination, it would be appropriate to do so in Executive Session. Dr. Gay commented that it would be best to have that discussion first prior to the Board considering the rule petitions that are on the agenda. Mr. Lacefield expressed his concerns with interrupting Open Session and having the public rejoin using Microsoft Teams. He stated that, because the public needs to be able to rejoin for Open Session, the Board will need to set an exact time for Open Session to resume so the public can rejoin the call. After further discussion, the Board recommended ending Executive Session at 11:30 a.m. so that the public can rejoin.

Ms. Misty Mattingly made a motion and Mr. Mark Scheinfeld seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-11-12 and 43-1-2(k) to deliberate and receive information on examination content. Voting in favor of the motion were those present who included Dr. Richard Bennett, Dr. Tracy Gay, Dr. Greg Goggans, Dr. Michael Knight, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Ami Patel, Mr. Mark Scheinfeld, Dr. Brent Stiehl, and Dr. Debra Wilson.

Executive Session

The Board discussed examination content.

Appearance

- O.B.A.

No votes were taken in Executive Session. Dr. Gay declared the meeting back in Open Session.

Open Session

Licensing Options

Ms. Emm stated that the Board needs to review the draft language that was available on Sharepoint. She explained that the emergency rule is for dentists only and would be in effect for the duration of the emergency and for a period of not more than 120 days thereafter if approved by the Governor. She stated that the rule says “...results from the Central Regional Dental Testing Service (CRDTS) Manikin-based (No Human Subjects) Examination taken after...” Dr. Gay commented that the Board needs to determine a date and wanted to clarify that this is only for the dental exam and not dental hygiene. Ms. Mattingly commented that she would like to see this proposal include dental hygienists as well. Dr. Bennett responded by stating that there are a number of hygiene exams scheduled throughout the state and that there was no shortage of exams during the shutdown. He explained that there is only one location in Georgia that can administer a clinical dental exam. Dr. Bennett stated there are 14 dental hygiene public and private programs throughout Georgia, along with seven testing sites, which includes private practice locations as testing sites. He further stated dental hygiene does not have the same challenges as dentists regarding exam availability. Ms. Mattingly responded by stating that as this pandemic moves forward, there have been issues with obtaining clinicians in this state. She added that the Board would not be putting its citizens in harm’s way by including dental hygienists. Ms. Mattingly stated that she has researched this matter and feels dental hygiene should be included. She further stated that she has attended an exam administered by CDCA. Shayna Overfelt, CDCA, commented that she was on the call if members had any questions concerning the exam.

Dr. Bennett made a motion to adopt Rule 150-3-0.2-.11 Regional Examination for Dentists as written. Discussion was held. Ms. Emm stated that the Board needs to determine a date. The motion was withdrawn. Ms. Emm inquired as to whether the date would be starting today until the end of the State of Emergency. Mr. Lacefield inquired if the Board will accept a manikin based exam taken in 2020. Dr. Maron suggested April 1, 2021. Ms. Emm responded that the Governor’s office processes these requests quickly. She added that she would expect if she submits it to the Governor’s office Monday the Board may be able to have something in place by March 15th. The Board agreed on setting the date to March 15, 2021. Ms. Emm asked if the rule also includes ADEX or is the Board only accepting a CRDTS manikin based exam. Dr. Bennett responded by stating it is exam specific. The Board agreed to accept both CRDTS and ADEX.

Dr. Bennett made a motion to adopt Rule 150-3-0.2-.11 Regional Examination for Dentists. Dr. Patel seconded. Discussion was held. Dr. Furness commented that DCG has 12 students taking a manikin in another state next weekend. Dr. Gay responded the Board agreed that results taken after March 15th would be accepted. He stated that there are opportunities for the students to take the live patient exam. Dr. Lefebvre requested clarification on the components. Ms. Emm stated the draft reads as follows:

- a. fixed prosthodontics, clinical abilities testing on crown preparations utilizing manikin-based typodonts or similar content utilizing Simodont dental virtual-haptic machine simulation;
- b. periodontics, clinical abilities testing utilizing manikin-based typodonts;
- c. endodontics, clinical abilities testing utilizing manikin-based typodonts;
- d. posterior class II amalgam or posterior class II composite preparation(s) utilizing Simodont dental virtual-haptic machine simulation;

- e. posterior class II amalgam or posterior class II composite restorations utilizing manikin-based typodonts;
- f. anterior class III composite preparation utilizing Simodont dental virtual-haptic machine simulation; and
- g. anterior class III composite restorations utilizing manikin-based typodonts;

Ms. Overfelt commented that she heard “Simodont”. She stated that CDCA uses “CompeDont”. She suggested the Board clarify the language in the draft to include such.

Suzanne Newkirk spoke to the Board. She requested clarification as to whether or not dental hygiene would be included. Dr. Bennett responded by stating dental hygiene would not be included at this time.

Discussion was held regarding “CompeDont”. Dr. Gay commented that he has not seen the CompeDont. Dr. Bennett stated it would be difficult to agree to something when he is not aware of what it is. Ms. Overfelt gave a brief description on the CompeDont. She explained that it is identical to a patient-based exam. Dr. Gay commented that is not similar to Simodont. He explained that the Simodont is a virtual reality-type exam. Dr. Goggans responded by stating this would rule out consideration of the ADEX manikin based exam. Dr. Lefebvre commented that all of DCG’s seniors take ADEX as well. She stated that not accepting the manikin based ADEX exam would put the students at a disadvantage. Dr. Gay asked if there was a patient-based exam scheduled. Dr. Lefebvre responded students cannot find patients for a patient-based exam and there are time delays due to infection control protocols. She stated the students are being set up to fail with a patient-based exam. Dr. Lefebvre stated DCG has seen results from the CITA exam for the southeast for 2020, and there are more failures on manikin based exams than there are on patient-based exams. She encouraged the Board to accept both manikin and patient-based exams.

Dr. Maron commented that the Board is trying to satisfy the goals of what this was intentionally meant to satisfy. He suggested including March 15th as the start date. Dr. Maron added that he believes this satisfies what is intended. Ms. Mattingly asked if this rule change was only intended for dentists. Dr. Maron responded affirmatively by stating that was his understanding.

Dr. Furness commented that he wanted to make the Board aware that the ADEX exam is scheduled before graduation and the CRDTS exam is scheduled after graduation due to the scheduling challenges the school is facing. Dr. Bennett responded by stating there is a site in Athens that has been approved as a small testing exam site. He added that it will not be on the educational institutions to administer the exam. Dr. Bennett stated that adding this additional testing site will allow more accessibility. He stated there is also a site in Michigan. Dr. Goggans commented that he does not understand why the Board will not approve the ADEX manikin based exam in addition to CRDTS. Dr. Maron, Dr. Wilson and Ms. Mattingly agreed with Dr. Goggans. Dr. Bennett commented that in Executive Session, the Board discussed exam content. He stated that traditionally the Board has required it be done on a live patient. He further stated the Board discussed the newer technology available. Dr. Bennett stated that it was his understanding that is what the Board agreed upon. Dr. Goggans inquired as to why the CompeDont is not sufficient. Dr. Bennett responded by stating that it is not the same as the Simodont. Dr. Patel suggested the Board consider voting on the draft presented and consider ADEX at a later date. Dr. Bennett agreed with Dr. Patel.

Dr. Bennett asked Dr. Lefebvre if all seniors have taken the CRDTS and ADEX manikin based examinations. Dr. Lefebvre affirmed that was correct. Dr. Bennett inquired if the pass rate on CRDTS was 100% for all seniors. Dr. Lefebvre responded that she does not know for sure. Dr. Furness stated there was not a 100% pass rate on the manikin. Dr. Bennett inquired if that was also the case for ADEX. Dr. Lefebvre affirmed that was correct. Dr. Lefebvre stated that we are currently in a pandemic and the more opportunities that can be provided to the students, the better. She stated she appreciates the haptic

versus the manikin; however, we are in the era of evidence based dentistry and we need to see the evidence that one is superior to the other.

Dr. Maron stated he agrees with what Dr. Patel suggested regarding voting on what the Board has in front of it now and consider the ADEX at a later time. He stated that this would allow the Board additional time to review it. Dr. Furness commented that testing agencies have time limits on the ability to sign up for exams and if the Board tables its consideration for a later time, that will leave the students very little time to plan. Dr. Bennett responded that most testing agencies understand the timing aspect and will assist the school with what needs to happen. With no further discussion held, the Board voted in favor of the motion, with the exception of Dr. Goggans, Dr. Wilson, and Ms. Mattingly who opposed.

Rule 150-3-0.2-.11 Regional Examination for Dentists

- (1) As a response to the current state of emergency as declared by the Governor, the Georgia State Board of Dentistry finds the potential for imminent peril to the public health, safety, or welfare of Georgia citizens. This emergency rule shall go into effect based on O.C.G.A. 50-13-4(b) and shall be effective for the duration of the emergency and for a period of not more than 120 days thereafter. During the time this rule is effective, it shall replace Georgia State Board of Dentistry Rule 150-3-.01(7)(f) only, the remainder of 150-3-.01 shall remain unaltered and in full effect.
- (2) During the declared Public Health State of Emergency, results from the Central Regional Dental Testing Service (CRDTS) Manikin-based (No Human Subjects) Examination taken after March 15, 2021; consisting of the following component parts will be considered:
 - a. fixed prosthodontics, clinical abilities testing on crown preparations utilizing manikin-based typodonts or similar content utilizing Simodont dental virtual-haptic machine simulation;
 - b. periodontics, clinical abilities testing utilizing manikin-based typodonts;
 - c. endodontics, clinical abilities testing utilizing manikin-based typodonts;
 - d. posterior class II amalgam or posterior class II composite preparation(s) utilizing Simodont dental virtual-haptic machine simulation;
 - e. posterior class II amalgam or posterior class II composite restorations utilizing manikin-based typodonts;
 - f. anterior class III composite preparation utilizing Simodont dental virtual-haptic machine simulation; and
 - g. anterior class III composite restorations utilizing manikin-based typodonts.

Petitions for Rule Waiver or Variance

Rule Variance Petition from Dr. Lara Ragab: The Board reconsidered this petition that was tabled at its February meeting pending receipt of evidence showing passage of a clinical examination. In her response to the Board, Dr. Ragab stated that she has not taken a clinical exam. Dr. Bennett made a motion to deny the rule variance petition as there was no substantial hardship demonstrated. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Alexandra Shehata: Dr. Bennett made a motion to grant the variance based on the special circumstances related to the COVID-19 pandemic. The Board also finds that Dr. Shehata provided adequate justification for the variance since she successfully passed the ADEX clinical examination, which involved a live patient. The variance is granted with the condition that Dr. Shehata agrees to take and successfully negotiate CRDTS or another Board recognized exam once these exams are administered again. Discussion was held. Dr. Nancy Ferrara, who was on the call, spoke to the Board on behalf of her niece, Dr. Shehata. Dr. Ferrara stated that Dr. Shehata has been practicing for a year in Ohio, but Dr. Shehata's goal is to come and work at Dr. Ferrara's practice. Dr. Ferrara stated that Dr. Shehata

has taken the live patient and manikin portions of ADEX. She stated that she understands every situation is different and unique, but it would be heartbreaking to make someone retake the examination. Dr. Gay requested clarification on the recommendation. Ms. Emm stated that the petition would be granted with conditions. Dr. Gay commented that Dr. Shehata is currently registered to take the Class III portion of ADEX. Dr. Shehata was on the call and spoke to the Board. Dr. Shehata explained that while she was able to sign up for the anterior restorative portion at Ohio State, there is no guarantee she can take it on a live patient. She stated that she signed up for the exam to be pro-active and take it any way she can. There being no further discussion, Dr. Maron seconded and the Board voted unanimously in favor of the motion. Dr. Maron commented that, he would like Dr. Shehata to understand that, while the Board is granting a full license, it is under conditions.

Rule Variance Petition from Dr. Benjamin Shepperd: Dr. Maron made a motion to grant the rule variance petition based on the special circumstances related to the cancellation of the CRDTS examination, or other Board recognized examination, due to the COVID-19 pandemic, and a new date for the examination has not been rescheduled. The Board also finds that Dr. Shepperd provided adequate justification for the variance as he successfully passed the ADEX clinical examination in March 2020, which involved a live patient. Dr. Wilson seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Cameron Schoettler: Dr. Bennett made a motion to deny the rule variance petition as there was no substantial hardship demonstrated. Dr. Maron seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Daniel Galvez: Dr. Bennett made a motion to grant the rule variance petition based on the special circumstances related to the cancellation of the CRDTS examination due to the COVID-19 pandemic and a new date for the examination has not been rescheduled. The Board also finds that Dr. Galvez provided adequate justification for the variance since he successfully passed the 2020 ADEX clinical examination, which involved a live patient. Dr. Maron seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Danny Nguyen: Dr. Bennett made a motion to deny the rule variance petition as there was no substantial hardship demonstrated. Dr. Maron seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Harjaap Singh: Dr. Bennett made a motion to deny the rule variance petition as there was no substantial hardship demonstrated. Dr. Maron seconded. Discussion was held by Dr. Singh, who was on the call. Dr. Singh stated that the next CRDTS exam is scheduled in May, which is the same date as his graduation. He stated that he would like to take the examination; however, does not want to miss his graduation. Dr. Singh asked if he had to take the CRDTS examination, would he have to take the exam in its entirety. Dr. Bennett responded that the Board does not accept portions of an exam. He suggested Dr. Singh utilize the opportunities that currently exist, such as temporary licensure or the testing avenue outside the school at an approved site. Mr. Lacefield commented that the Board no longer offers temporary licensure to 2020 graduates. There being no further discussion, the Board voted unanimously in favor of the motion.

Dr. Collins, who was on the call, spoke to the Board. He stated he is a practicing dentist in Georgia and has been listening to the Board meetings over the last few months. He stated the Board has come up with subjective rules. Dr. Collins stated that a board member previously mentioned these are different times that we are living in. He asked what are the clear cut rules the Board is using and why are they so seemingly subjective. He continued by asking why are things not clear and why is the Board having so much difficulty in licensing young colleagues so he/she can provide for his/her family. Dr. Collins stated

that he is very concerned. Dr. Gay thanked Dr. Collins for his comments and concerns. Dr. Gay stated that the objective of this Board is not to provide its young colleagues with a license. He further stated that the objective is to protect the patients and citizens of Georgia. He stated that it is the Board's responsibility to make sure students receive adequate training and are competent to practice. Dr. Gay explained that the Board, as a whole, does not support the manikin. He stated that the Board wants to ensure that the student can work on a live patient. Dr. Gay further stated that all the Board can do is make a decision on a case by case basis. Dr. Collins responded by asking if the Board was saying a dentist that graduates from an accredited school and receives his/her dental degree, does two years of clinic, would not be eligible to practice if that individual has not taken CRDTS. Dr. Gay responded that CRDTS is the exam that has been in place and required for the last several years. He explained that CRDTS was not being offered as much as it had been previously offered and as such, the Board began accepting ADEX. Dr. Gay stated that the Board is now trying to address the issues caused by the pandemic by offering an alternative pathway. He added that just because someone has done four years of dental school does not mean he/she is adequately prepared to work in a dental practice. Dr. Lefebvre commented that dental students in general are not trained on a haptic simulator and what the Board has given as an alternative is not what occurs in dental schools. Dr. Bennett responded by stating it is an alternative avenue. Dr. Lefebvre responded that it is not a realistic alternative and will be an additional cost. No further discussion was held.

Rule Variance Petition from Dr. Liliana Rios: Dr. Bennett made a motion to grant the rule variance petition based on the special circumstances related to the cancellation of the CRDTS examination due to the COVID-19 pandemic and a new date for the examination has not been rescheduled. The Board also finds that Dr. Rios provided adequate justification for the variance since she successfully passed the 2020 ADEX clinical examination, which involved a live patient. Dr. Patel seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Natasha Mandani: Dr. Stiehl made a motion grant the rule variance petition based on the special circumstances related to the COVID-19 pandemic. The Board also finds that Dr. Mandani has provided adequate justification for the variance since she successfully passed the 2020 ADEX clinical examination, which involved a live patient. Dr. Wilson seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Rachel Hublall: Dr. Goggans made a motion to grant the rule variance petition based on the special circumstances related to the COVID-19 pandemic. The Board also finds that Dr. Hublall has provided adequate justification for the variance since she successfully passed the 2020 ADEX clinical examination, which involved a live patient. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion.

Rule Waiver Petition from Dr. Aldyn Muthra: Dr. Maron made a motion to grant the rule variance petition based on the special circumstances related to the COVID-19 pandemic. The Board also finds that Dr. Muthra has provided adequate justification for the variance since he successfully passed the SRTA clinical examination. The variance is granted with the condition that Dr. Muthra agrees to take and successfully negotiate a patient-based periodontics examination administered by CRDTS or another Board recognized exam once these exams are administered again. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion.

Rule Waiver Petition from Dr. Christian Milanes: Dr. Bennett made a motion to deny the rule variance petition as there was no substantial hardship demonstrated. Dr. Goggans seconded and the Board voted unanimously in favor of the motion.

Dr. Maron stated that, while the Board appreciates all the comments, he does take offense to someone saying that the Board is being subjective. He added that the Board is working diligently with the

parameters that it has been given. Dr. Maron stated that the Board is trying very hard to make this process fair for people, but it also has to ensure the citizens of Georgia are protected.

Correspondence from Donald Oliva, CE Broker

The Board considered this request to give a presentation to the Board regarding CE Broker. The Board recommended scheduling CE Broker to meet with the Board once it resumes its monthly meetings in person.

Correspondence from Sharla Odom

The Board considered this correspondence asking if dental hygienists are allowed to administer ozone to patients in Georgia. Additionally, Ms. Odom asks if dental hygienists are allowed to apply ozonated oils into sulcus of gums on patients. The Board recommended staff responding to Ms. Odom by stating that, based on its limited knowledge of the subject, there is no scientific proof of efficacy on the matter; however, all determinations on treating modalities are made by the supervising dentist. Please also reference the Dental Board Policy Manual regarding the current approved modalities for dental hygienists.

Correspondence from Beth Cole, WREB

The Board considered this correspondence regarding the presentation given to the Board at its January 2021 meeting by Dr. Bruce Horn and whether or not the Board had made a determination on accepting the WREB examination. Dr. Horn, who was on the call, stated that he would be happy to answer any questions the Board had. Dr. Gay responded by stating that the Board has not made a determination at this juncture regarding the WREB examination.

Correspondence from Dr. John E. Kasper, American Dental Assistants Association (ADAA)

The Board considered this correspondence regarding ADAA's position on mandatory infection control education for the oral healthcare team, to include a requirement that all dental assistants have a minimum of 12 hours of CODA, ADA CERP, or AGD PACE approved didactic and four hours of clinical education in infection control, including performance evaluation. Ms. Emm stated that there are members of the ADAA on the call if the Board had any questions regarding the matter. Dr. Bennett responded by stating that a license is not required for dental assistants, and the Board has no jurisdiction other than the office he/she works in under the direct supervision of a dentist. He added that he is not sure whether or not the Board is looking to get involved in this arena. Ms. Mattingly agreed. A visitor on the call commented that the Board previously stated that it is charged with protecting the public. The visitor continued by stating that if proper infection control is not being done, and the person most likely doing the infection control is the dental assistant, are patients truly being protected. Dr. Gay responded by stating that infection control is of the utmost importance in all offices right now. He thanked the visitor for her comments and stated that the Board would be taking this as information only at this point.

Correspondence from Dr. James Smithson

The Board considered this request for an appearance from Dr. Smithson to discuss his denied rule petition. Dr. Bennett made a motion to grant the request and schedule Dr. Smithson for the next available meeting. Ms. Mattingly seconded and the Board voted unanimously in favor of the motion.

General – Dr. Tracy Gay

Committee Listing: Dr. Gay reported that the updated committee listing has been shared with the members.

Attorney General's Report – Mr. Max Changus

No report.

Executive Director's Report – Mr. Eric Lacefield

Dental Hygiene Ad: Mr. Lacefield commented that he was forwarded a job listing for a dental hygiene position from a board member and one of the duties listed for the position was “Administers local anesthetic agents”. He asked for the Board’s guidance on how to proceed. Dr. Wilson commented that she was the one who initially saw the advertisement. She added that since that time, it appears to have been removed. Ms. Newkirk commented that she contacted the company that placed the ad and they removed the language. She stated that it was a mistake on their part as she thinks that language is what they used to advertise in other states.

Correspondence from Scott Lofranco, GDA: Mr. Lacefield discussed correspondence received from Mr. Lofranco, GDA, concerning a press release regarding teledentistry, which reads, *“For more urgent needs or when members would like to speak with a Delta Dental Insurance Company dentist, the Virtual Consult option is a secure video-based tool that connects members and providers directly. After an initial discussion to learn more about the dental issue, a dentist will guide the member through a virtual oral exam and provide treatment options and prescriptions, if necessary.”* Mr. Lofranco’s correspondence asks whether or not "virtual oral exams and providing treatment options and prescriptions" allowed, or is the purpose of the Board’s temporary rule to only allow screenings between the dentist and patient. Dr. Maron responded that it is just for dental screenings, not for oral exams.

Miscellaneous

Dr. Maron requested the Board discuss an issue that was brought up in the Investigative Committee meeting held earlier that morning. He stated that it was concerning unlicensed practice. He further stated that the Board is going to add a statement to its website so the public can be sure the providers he/she is seeing are licensed to practice dentistry and dental hygiene in Georgia. Dr. Maron stated that it would be helpful to have assistance from GDA to advertise this as well on GDA’s website. Mr. Lofranco responded by stating that GDA would be happy to assist once the Board finalizes its statement. Ms. Emm commented that this matter was discussed as part of an investigation and it would be helpful for the statement to include language about the dangers of going to someone who is not licensed to practice. She requested assistance in drafting the statement. Ms. Mattingly and Dr. Wilson volunteered to assist Ms. Emm.

Dr. Keyanni Shaw spoke to the Board regarding two rule petitions she submitted that were denied. She asked who could she speak with regarding this matter. Ms. Emm responded by stating that Dr. Shaw could submit a written request for an appearance with the Board.

Legal Services – Ms. Kimberly Emm

Correspondence from Dr. Susan Duley: Ms. Emm discussed this correspondence regarding whether a dental hygienist serving as an educator in a public clinic may prescribe radiographs. Ms. Emm stated that, in response to Dr. Duley’s inquiry, she did provide Dr. Duley with language from O.C.G.A. § 43-11-74(b) which states: *“Licensed dental hygienists shall perform their duties only under the direct supervision of a licensed dentist, except as otherwise provided in this Code section. No licensed dental hygienist shall diagnose, prescribe, determine the initial dosage, or increase the initial dosage of nitrous oxide, practice dentistry, or do any kind of dental work other than to remove calcareous deposits, secretions, and stains from the surfaces of the teeth, to apply ordinary wash or washes of a soothing character, and to perform those acts, services, procedures, and practices which the board shall prescribe by rule or regulation.”* The Board agreed that this response was sufficient.

Simulated Cases: Ms. Emm stated that the Board received an inquiry from an individual asking about a specific DOCS sedation course being advertised as “20 real case videos”. Ms. Emm stated that the Board’s current rule requires hands on or simulated cases and she was not sure if a video was considered hands on or simulated. Dr. Maron responded by stating that watching a video would not be considered hands on or

simulated. Dr. Knight inquired as to whether or not this being done through a live webinar would be acceptable. Dr. Maron responded by stating that as of right now, a webinar is acceptable.

New License Laws: Ms. Emm commented that two new laws have been passed, O.C.G.A. § 43-1-34.1 (Effective January 1, 2021) Expedited license by endorsement for military spouses and O.C.G.A. § 43-11-53 Charitable dental events; temporary licenses for dentists and dental hygienists in good standing in other states; procedure. She stated that the Board would need to work on rules for each. The Board recommended tabling this matter until its April meeting.

Temporary Dental and Dental Hygiene Licensure Guidelines and Requirements for 2021 Graduates:

Ms. Emm stated that a copy of the guidelines for 2021 graduates were available on Sharepoint for the Board to review. Dr. Maron made a motion to approve the guidelines and post them to the Board's website. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion.

Dr. Richard Bennett made a motion and Dr. Brent Stiehl seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h)(2), § 43-11-47(h), and § 43-1-2(k) to deliberate and receive information on applications, investigative reports, the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Richard Bennett, Dr. Tracy Gay, Dr. Greg Goggans, Dr. Michael Knight, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Ami Patel, Mr. Mark Scheinfeld, Dr. Brent Stiehl, and Dr. Debra Wilson.

Executive Session

Applications

- D.G.
- C.J.S.
- B.C.S.
- B.M.L.
- E.J.E.
- K.D.H.
- M.D.R.
- R.L.K.
- K.L.B.
- S.D.B.
- B.A.K.
- J.R.B.
- T.M.D.
- A.N.B.
- H.J.H.
- J.F.F.
- B.H.G.
- M.C.P.

Licensure Overview Committee Appointments/Discussion Cases

- A.D.
- T.A.C.
- F.E.S.
- C.L.T.
- B.A.M.

Investigative Committee Report – Dr. Brent Stiehl

Report presented:

- DENT200328
- DENT200375
- DENT200478
- DENT210104
- DENT190376
- DENT210084
- DENT210175
- DENT210246
- DENT190346
- DENT190271
- DENT200217
- DENT200471
- DENT210056
- DENT210082
- DENT210092
- DENT190336
- DENT180191
- DENT180286
- DENT180289
- DENT180324
- DENT210010
- DENT190096
- DENT190119
- DENT190304
- DENT190410
- DENT190482
- DENT200058
- DENT190010
- DENT190486
- DENT190421
- S.K.
- DENT200255
- DENT200262
- DENT190053
- DENT200069
- DENT210023
- DENT210038
- DENT210268
- DENT190487
- DENT200209
- DENT200292
- DENT210002
- DENT210226
- DENT210249
- DENT180236

- DENT200253
- DENT200344
- DENT200453
- DENT200493
- DENT210100
- DENT210242
- DENT210270
- DENT200389
- DENT200414
- DENT200428
- DENT200508
- DENT210012
- DENT210088
- DENT190134
- DENT200150
- DENT160459
- DENT180038

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent order for acceptance:

- M.H.

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Ms. Kimberly Emm

- S.A.M.

Special Assistant Attorney General

- Pending litigation

No votes were taken in Executive Session. Dr. Gay declared the meeting back in Open Session.

Open Session

Dr. Bennett made a motion to approve all recommendations based on deliberations made in Executive Session:

Appearance

- | | | |
|----------|--------------------------------|---------------|
| • O.B.A. | Denied Reinstatement Applicant | Upheld denial |
|----------|--------------------------------|---------------|

Applications

- | | | |
|----------|--------------------------------------|----------------------|
| • D.G. | Dental Exam Applicant | Approved application |
| • C.J.S. | Dental Exam Applicant | Denied application |
| • B.C.S. | Dental Exam Applicant | Approved application |
| • B.M.L. | Dental Exam Applicant | Upheld denial |
| • E.J.E. | Dental Hygiene Credentials Applicant | Approved application |
| • K.D.H. | Dental Credentials Applicant | Denied application |
| • M.D.R. | Dental Credentials Applicant | Denied application |

- R.L.K. Faculty Applicant Approved application
- K.L.B. Public Health Applicant Approved application
- S.D.B. Volunteer Applicant Approved application
- B.A.K. Dental Reinstatement Applicant Approved application
- J.R.B. Dental Reinstatement Applicant Approved application
- T.M.D. Dental Reinstatement Applicant Approved application
- A.N.B. Moderate Enteral Conscious Sedation Approved application
- H.J.H. Moderate Enteral Conscious Sedation Approved application
- J.F.F. Moderate Parenteral Conscious Sedation Approved for provisional permit
- B.H.G. Moderate Parenteral Conscious Sedation Approved evaluation
- M.C.P. Moderate Parenteral Conscious Sedation Approved extension request

Licensure Overview Committee Appointments/Discussion Cases

- A.D. Dental Exam Applicant Approved application
- T.A.C. Moderate Parenteral Conscious Sedation Denied application
- F.E.S. Licensee Table pending receipt of additional information
- C.L.T. Dental Hygiene Exam Applicant Approved application
- B.A.M. Request to terminate probation Approved request

Investigative Committee Report – Dr. Brent Stiehl

Report presented:

Complaint Number	Allegations	Recommendation
DENT200328	Billing	Cancel
DENT200375	Failure to Perform Client Services	Cancel
DENT200478	Billing	Cancel
DENT210104	Billing	Cancel
DENT190376	Quality of Care/Substandard Practice	Refer to the Department of Law
DENT210084	Patient Abandonment	Close Lapsed w/Flag for Reinstatement
DENT210175	Other	Close with No Action
DENT210246	Unethical conduct	Close with No Action
DENT190346	Quality of Care/Substandard Practice	Close with Letter of Concern
DENT190271	Quality of Care/Substandard Practice	Close with Letter of Concern
DENT200217	Records Release/Billing	Close with Letter of Concern
DENT200471	Billing	Close with No Action
DENT210056	Quality of Care/Substandard Practice	Close with No Action
DENT210082	Quality of Care/Substandard Practice	Close with Letter of Concern
DENT210092	Quality of Care/Substandard Practice	Close with No Action
DENT190336	Quality of Care/Substandard Practice	Close with No Action
DENT180191	Impairment/Substance Abuse	Close - Deceased
DENT180286	Quality of Care/Substandard Practice	Close as to Deceased DN
DENT180289	Quality of Care/Substandard Practice	Close as to Deceased DN
DENT180324	Quality of Care/Substandard Practice	Close as to Deceased DN
DENT210010	Unprofessional conduct	Close - Deceased
DENT190096	Quality of Care/Substandard Practice	Close with No Action
DENT190119	Quality of Care/Substandard Practice	Close with No Action
DENT190304	Malpractice	Close with No Action

DENT190410	Abandonment	Close with No Action
DENT190482	Quality of Care/Substandard Practice	Close with No Action
DENT200058	Quality of Care/Substandard Practice	Close with Letter of Concern
DENT190010	Morbidity and Mortality	Refer to the Department of Law
DENT190486	Quality of Care/Substandard Practice	Close with No Action on Merits; Refer to Legal Services for CE shortage
DENT190421	Malpractice	Close with Letter of Concern
S.K.	Other	Board directed staff to respond by stating this matter is outside the purview of this Board.
DENT200255	Morbidity and Mortality	Close - Other (Referred)
DENT200262	Quality of Care/Substandard practice	Close - Other (Referred)
DENT190053	Unlicensed Practice	Close - Other (Referred)
DENT200069	Unlicensed Practice	Close - Other (Referred)
DENT210023	Unlicensed Practice	Close - Other (Referred)
DENT210038	Unlicensed Practice	Close - Other (Referred)
DENT210268	Unlicensed Practice	Refer to Local PD and Close - Other (Referred)
DENT190487	Unlicensed Practice	Refer to Fulton County DA
DENT200209	Unlicensed Practice	Refer to Fulton County DA
DENT200292	Unlicensed Practice	Refer to Fulton County DA
DENT210002	Unlicensed Practice	Refer to Fulton County DA
DENT210226	Unlicensed Practice	Refer to Fulton County DA
DENT210249	Unlicensed Practice	Refer to Fulton County DA
DENT180236	Unlicensed Practice	Refer to Norcross PD
DENT200253	Unlicensed Practice	Close - Other (Social Media Accts Closed)
DENT200344	Unlicensed Practice	Close - Other (Social Media Accts Closed)
DENT200453	Unlicensed Practice	Close - Other (Social Media Accts Closed)
DENT200493	Unlicensed Practice	Close - Other (Social Media Accts Closed)
DENT210100	Unlicensed Practice	Close - Other (Social Media Accts Closed)
DENT210242	Unlicensed Practice	Close - Other (Social Media Accts Closed)
DENT210270	Unlicensed Practice	Accept Voluntary C&Ds and Close Case
DENT200389	Quality of Care/Substandard practice	Close with No Action
DENT200414	Quality of Care/Substandard practice	Close with No Action
DENT200428	Quality of Care/Substandard practice	Close with Letter of Concern
DENT200508	Quality of Care/Substandard practice	Close with Letter of Concern
DENT210012	Quality of Care/Substandard practice	Close with No Action
DENT210088	Quality of Care/Substandard practice	Close with No Action
DENT190134	Quality of Care/Substandard Practice	Close with No Action
DENT200150	Impairment/substance abuse	Refer to the Licensure Overview Committee
DENT160459	Quality of Care/Substandard Practice	Close with Letter of Concern
DENT180038	Quality of Care/Substandard Practice	Close with Letter of Concern

Attorney General's Report – Mr. Max Changus

Mr. Changus presented the following consent order for acceptance:

- M.H. Public Consent Order accepted

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Ms. Kimberly Emm

- S.A.M. Request for completion review Approved request

Special Assistant Attorney General

- Pending litigation Update provided

Dr. Stiehl seconded and the Board voted in favor of the motion, with the exception of Dr. Goggans, Dr. Wilson, Dr. Knight, and Ms. Mattingly, who opposed the recommendation regarding O.B.A.

With no further business, the Board meeting adjourned at 3:07 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held via conference call on Friday, April 9, 2021, at 10:00 a.m. at the Department of Community Health’s office located at 2 Peachtree Street, N.W., 6th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi Howell, Business Support Analyst I
Minutes edited by Eric R. Lacefield, Executive Director